

## REMARKS

### *Summary of Changes Made*

By this Amendment, filed as a supplement to Amendment E, which was filed 5 February 2009, minor non-substantive changes are made to the claims. Applicants respectfully request that the Examiner consider the instant amendments, and said Amendment of 5 February without certain language deemed not necessary to overcome outstanding rejections.

The Application was filed with 14 claims, and claims numbering up to 22 were later added. Claims 2, 3, 7-9, 11-14 had been canceled previously. Claims 1, 10, 15, 17-19, 21 and 22 are currently amended. No claims are presently added or canceled. Accordingly, claims 1, 4-6, 10 and 15-22 are pending in the application. No new matter has been added.

Applicants thank the Examiner for the clear indication of the rejections that have been overcome or rendered moot by amendments and/or arguments in the amendment filed 19 June 2008.

### *Claim Rejections – 35 U.S.C. 112, second paragraph*

Further to the argumentation in Amendment E, filed 5 February, the present amendments to claims 10, 15, 17-19, 21 and 22 are intended only to emphasize that one or more auxiliary substances and/or active substances is present in the claimed subject matter without using the term “and/or.” “And/or” is understood by the skilled artisan, but often results in indefiniteness rejections under the second paragraph of section 112. It is thus believed that the rejection of claim 10 has been overcome.

### *Claim Rejections – 35 U.S.C. 103(a)- Nagashima*

Applicants maintain the argumentation with respect to the Nagashima patent as presented in Amendment E, filed 5 February 2009, with the exception of the final three paragraphs, the first of which begins with the line “Additionally, Nagashima discloses the use of a variety of additives, at least some of,” and the last of which begins with the line “While Applicants do not contend that every embodiment of Nagashima includes a.” Such argumentation is not necessary to overcome the rejection over Nagashima, and no limiting effect is intended by such argumentation. Applicants respectfully request that the Examiner consider the argumentation of the Amendment filed 5 February 2009 without the above mentioned paragraphs.

Application No. 10/531,346  
Amendment dated: 18 February 2009  
Reply to Office action of: 6 November 2008

Based on all of the foregoing, Applicants respectfully request that Examiner withdraw the obviousness rejection over Nagashima.

***Conclusion***

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge the same to Deposit Account No. 18-0160, Order No. GIL-16027.

Respectfully submitted,

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